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# HARVARD LAW REVIEW

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THE APPOINTMENT OF PROFESSOR FRANKFURTER. — The facts of Professor Frankfurter's record without comment show the School's good fortune in his appointment and his special fitness for such courses as Public Service Companies, Criminal Law, and Penal Legislation and Administration. He graduated from the College of the City of New York in 1902, and from the Harvard Law School in 1906 after a brilliant record as a student which included membership on the editorial board of this REVIEW. He then was immediately appointed Assistant United States Attorney for the District of New York under the Honorable Henry L. Stimson (H.L.S., '90). This required him at once to take an active part in the series of great cases which marked the new activities of the Federal Government in regulating business in New York. These included, among many others, the rebate cases against the New York Central and other Trunk Line railways and against the American Sugar Refining Company as shipper, the proceedings against Edward H. Harriman, Charles W. Morse and F. A. Heinze and the well-known sugar weighing fraud cases against the officers of the Sugar Trust. In most of these cases Professor Frankfurter carried through the argument of the appeals alone, and his share in bringing about the distinguished success which directed so much attention to the District Attorney's office during this period has often been generously recognized by Mr. Stimson.

In July, 1911, Professor Frankfurter was appointed Law Officer of the Bureau of Insular Affairs in the War Department, and he filled that office until he accepted his present appointment. In this position he had the duties of Chief Legal Adviser of the Colonial Administration of the United States. All the important problems arising in the govern-

ment of the Philippine Islands and Porto Rico, and in the virtual protectorate over San Domingo from our administration of its customs, came before him for solution, and he argued before the Supreme Court the important cases arising from them. Having left the School to enter the public service he now returns from the public service to the School with experience of a kind most calculated to enrich his mind and expand his vision in the subjects which he is now called upon to teach.

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THE LAW SCHOOL. — Professor Beale's new first-year course on Principles of Legal Liability marks an interesting attempt at economy of effort and a closer coördination of the first-year courses. The title of the course calls for a word of comment to guard against the misapprehension which might arise from a notion that "principles of legal liability" were the province of one course any more than another. Obviously it is with such "principles" that the courses on Contracts, or Property, or Torts not less than the new course are primarily concerned. Certain principles of liability, however, are so fundamental in their nature and so general in their application that a correct understanding of them is essential in more than one of the first-year courses. And when a large and difficult subject, such, for example, as Causation, is governed by principles which in their main outline do not differ essentially in criminal and in civil cases, there is an unfortunate duplication, to say nothing of possible confusion, in the effort to cover the subject in both Criminal Law and Torts. Furthermore such an effort may have a distinctly harmful effect in leading the student to think of the law as a group of unrelated matters in separate compartments instead of an organic whole. The same is true of certain defenses, such, for example, as the right of self defense, and other matters covered by Professor Beale's new case book. Owing to the nature of the course, which will contain much that has previously been taken up early in the year in the course on Criminal Law, it has been put in the first half year, and Criminal Law, which will be conducted by Professor Frankfurter, has been put in the second half year. Agency has been made a second-year course in order that students may have the advantage of undertaking its systematic study after a ground work of thorough preparation in courses more strictly primary in their nature. This change had made it possible to give three hours a week to the courses on Principles of Legal Liability and Criminal Law.

The course on Civil Procedure has been enlarged so as to cover more broadly the whole subject excepting Evidence. The matters to be taken up include venue, process, appearances, forms of action, parties, pleading, trials, motions for a new trial, motions based on the pleadings, judgments and appellate procedure. Approximately one-third of the time will be given to pleading.

In addition to the above, several other changes in the curriculum are to be noted. The course in New York Practice, given two years ago, will be repeated this year, under Mr. R. Campbell, A.B., LL.B., as will the course in Patents, under Mr. Odin Roberts, S.B., A.M., LL.B., who conducted it before. Mr. William G. Thompson, A.B., LL.B., of the Boston Bar, will again give his lectures in brief-making. A course on Penal Legislation and Administration will be given by Professor Frank-